

109TH CONGRESS
1ST SESSION

H. R. 2719

To amend the Federal Water Pollution Control Act to clarify that fill material cannot be comprised of waste.

IN THE HOUSE OF REPRESENTATIVES

MAY 26, 2005

Mr. PALLONE (for himself, Mr. SHAYS, Ms. MILLENDER-McDONALD, Mr. OLVER, Mr. GEORGE MILLER of California, Mr. VAN HOLLEN, Mr. MARKEY, Mr. FARR, Mr. SERRANO, Mr. GUTIERREZ, Mr. KILDEE, Mr. DEFazio, Mrs. JONES of Ohio, Mr. ANDREWS, Ms. LEE, Mr. HOLT, Mr. WAXMAN, Ms. BALDWIN, Ms. SCHAKOWSKY, Mr. OWENS, Mr. McDERMOTT, Mr. MCGOVERN, Mr. CASE, Mr. FRANK of Massachusetts, Mr. BERMAN, Mr. FILNER, Mr. HONDA, Ms. WOOLSEY, Mr. KENNEDY of Rhode Island, Mr. SANDERS, Mr. KUCINICH, Mr. LEWIS of Georgia, Mr. CUMMINGS, Ms. DELAURO, Mr. SPRATT, Mr. LANGEVIN, Mr. ALLEN, Mr. BROWN of Ohio, Ms. SLAUGHTER, Ms. ESHOO, Mr. SMITH of Washington, Ms. MCCOLLUM of Minnesota, Mr. WEXLER, Mr. STARK, Mr. GILCHREST, Mrs. JOHNSON of Connecticut, Mr. McHUGH, Mr. MENENDEZ, Mr. GRIJALVA, Mr. HINCHEY, Mr. NEAL of Massachusetts, Mr. PAYNE, Mr. BLUMENAUER, Mrs. CAPPS, and Mr. MILLER of North Carolina) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Federal Water Pollution Control Act to clarify that fill material cannot be comprised of waste.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Clean Water Protec-
3 tion Act”.

4 **SEC. 2. DEFINITION OF FILL MATERIAL.**

5 Section 502 of the Federal Water Pollution Control
6 Act (33 U.S.C. 1362) is amended by adding at the end
7 the following:

8 “(24) FILL MATERIAL.—The term ‘fill material’
9 means any pollutant which replaces portions of the
10 waters of the United States with dry land or which
11 changes the bottom elevation of a water body for
12 any purpose. The term does not include any pollut-
13 ant discharged into the water primarily to dispose of
14 waste.”.

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